

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Kristi L. Easterday**

**Docket No. 5:16-MJ-1045-1**

**Petition for Action on Probation**

COMES NOW Corey Rich, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kristi L. Easterday, who, upon an earlier plea of guilty to 18 U.S.C. § 13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 2), was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on August 4, 2016, to 12 months probation under the conditions adopted by the court.

On September 12, 2016, as a result of marijuana use, the court modified the conditions of probation to include the standard drug aftercare condition.

On March 16, 2017, as a result of additional marijuana use, the court modified the conditions of probation to include 90 days curfew with electronic monitoring.

On April 24, 2017, the defendant tested positive for marijuana and admitted use. As a result, she was returned to court on a Motion for Revocation. At the revocation hearing on August 9, 2017, the court ordered the defendant be confined to the Bureau of Prisons for a period of 14 days, to be served intermittently. It was also ordered that the probation term be extended for two months, from the original expiration date of August 3, 2017, to the new expiration date of October 3, 2017, to allow for completion of the ordered confinement.

On September 26, 2017, the court agreed to extend the defendant's term of supervision from October 3, 2017 to November 3, 2017, in order for the defendant to have ample time to complete her court ordered term of intermittent jail days.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** Through no fault of the defendant, there was a miscommunication between the Bureau of Prisons and the Cumberland County Detention Center as to the start date for the defendant's jail schedule. As such, the defendant reported as directed on October 1, 2017, but was turned away by Cumberland County Jail staff due to an unknown error. Because of this, the Bureau of Prisons has updated the defendant's jail schedule and the defendant should complete all required jail time on November 6, 2017. Therefore, we are requesting that another extension of supervision be granted so that the defendant may comply with the court's order.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The term of probation be extended to the new expiration date of November 6, 2017.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith

Supervising U.S. Probation Officer

/s/ Corey Rich

Corey Rich

U.S. Probation Officer

150 Rowan Street Suite 110

Fayetteville, NC 28301

Phone: 910-354-2540

Executed On: October 23, 2017

### **ORDER OF THE COURT**

Considered and ordered on October 24, 2017  
made a part of the records in the above case.

. It is further ordered that this document shall be filed and

*Robert T. Numbers II*

Robert T. Numbers, II

United States Magistrate Judge